

DeKalb County Department of Planning & Sustainability

178 Sams Street, Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning

Planning Commission Hearing Date: January 5, 2023 Board of Commissioners Hearing Date: January 26, 2023

STAFF ANALYSIS

Case No.:	Z-22-1246093	Agenda #: 2022-2263		
Location/Address:	3355, 3375, & 3395 Northeast Expressway	Commission Estrict: 01 Super District: 07		
Parcel ID(s):	18-267-01-004, -007, & -008			
Request:	Rezone from the O-I (Office Institutional) Zon Residential-3) Zoning District to allow multi-			
Property Owner(s):	3395 Northeast Expressway, LLC; 3375 Northeast Typessway, LLC; 3355 Northeast Expressway, LLC			
Applicant/Agent:	Alpha Residential & Parker Poe ms & Jer	rnstein, LLP		
Acreage:	7.24 acres			
Existing Land Use:	Office			
Surrounding Properties:	North: City of Chamblee East O-I South: (across I-85)	O-I, C-2, MR-2 West: City of Chamblee		
Comprehensive Plan:	RC X	Consistent Inconsistent		

Staff Recommendation: Approval with conditions

The applicant is requesting a rezoning from the O-I (Office Institutional) Zoning District to the HR-3 (High Density Residential-3) Zoning District for redevelopment of the site into a 775-unit multi-family residential community. The subject properties contain value office buildings. The development will consist of two 7-story buildings, 5,000 square feet of access by reall/restaurant, and a parking garage internal to the site. Per a 2020 text amendment to the *Zoning Ordinance*, the has forum multi-family unit size for the HR-3 Zoning District is 500 square feet.

The Board of Commissioners adopted the 2050 Unified Plan on November 17, 2022, which included a change of the future land use designation for the subject properties and others along the Interstate 85 corridor from Office Park (OP) to Regional Center (RC). This change will significantly enhance the visual appeal of the corridor, increase density, and boost much needed regional housing supply near an academic/employment center. With that change, the requested HR-3 zoning is now consistent with the 2050 Unified Plan.

The HR-3 Zoning District is designed to accommodate high density, high rise, multi-family residential development at a base maximum density of sixty (60) dwelling units per acre. A maximum density up to 120 dwelling units per acre may be achieved if certain community enhancements are provided.

The applicant proposes an additional sixty-six (66) dwelling units per acre worth of bonus density through the provision of the following amenities:

	REQUESTED DENSITY BONUSES					
Base Max Density	Amenity	Density Increase %	Add'l Dwelling Units per acre			
60 DUs/AC	-	-	-			
	MARTA Bus Shelter	20% (60 x .20)	= 12 DUs/AC			
	Public Art	20% (60 x .20)	= 12 DUs/AC			
	Parking Garage	20% (60 x .20)	= 12 DUs/AC			
	LEED certified bldgs	50% (60 x .20)	= 30 DUs/AC			
			TOTAL: 66 DUs/AC			
TOTAL MAX DENSITY		60 (Base) + 66 (Box	nuses) = 126 DUs/AC			

While the proposed development aligns with future land use and zoning goals, it does present a number of notable public infrastructure impacts. Sewer capacity evaluation will be needed to address prospective demand and health regulations of prospective nonresidential uses. The school district estimates additional students for Henderson Mill Elementary and Lakeside High School, which are both at or over capacity (100.2% and 125.9%, respectively). The proposed parking count (1,020 spaces) comes in lower than the minimum required (1,203). However, there may be potential to reduce the number of minimum parking spaces required via shared parking arrangement for mixed-use development, administrative variance, and consideration of MARTA transit service in the vicinity of the subject property. Additionally, although the development group proposes underground stormwater management, the current site plan lacks satisfactory conceptual details.

The number of proposed units exceeds the statutory threshold of 400 housing units for a region and therefore, is subject to Development of Regional Impact (DRI) review by the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA). A recommendation of "approval with conditions" was issued on November 8, 2022 for this project. The decision notice includes a number of recommended transportation and pedestrian system improvements along the project site and in its vicinity. These recommended improvements were also captured in the traffic impact analysis performed by Kimley Horn. Moreover, the project aligns with the Regional Employment Corridor recommendations reuse of developed land, connection between employment and housing, transit/mobility potential, potential for improved access to greenspace.

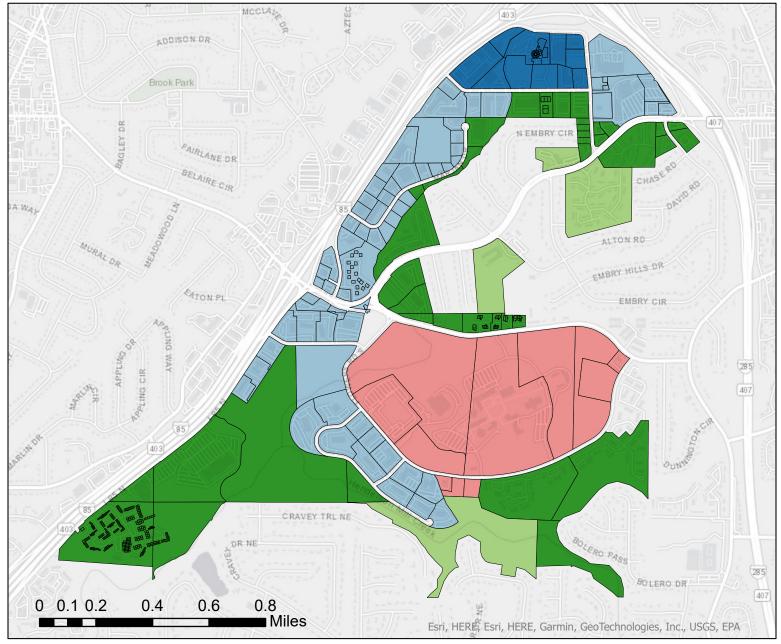
Upon review of Section 7.3.5. of the Zoning Ordinance, staff recommends approval with conditions:

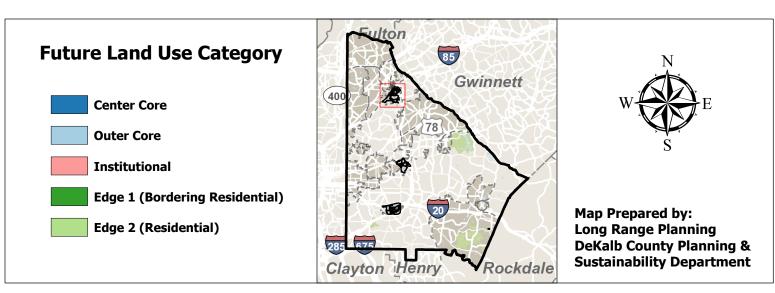
- 1. The subject properties shall be developed in general conformance with the enclosed site plan entitled, "Apex Audubon DRI #3783," dated, 08/24/2022. Exceptions based on approved variances, minor modifications, or administrative interpretations are acceptable, in accordance with county regulations.
- 2. The proposed development shall consist of two (2) multi-family residential buildings with no more than 775 dwelling units.
- 3. Alpha Residential proffers to coordinate with MARTA and Georgia Department of Transportation (GDOT) to install two (2) new bus shelters at existing MARTA bus stops adjacent to the subject property on Northeast Expressway and near the intersection of Woodcock Blvd and Northeast Expressway.
- 4. Applicant must demonstrate compliance with the density bonus criteria at the appropriate times, as outlined below:
 - a. Public improvements to install bus shelters at existing MARTA bus stops, as described in Condition #3. A written agreement between MARTA and the applicant needs to be submitted to indicate that this improvement will be implemented per MARTA or GRTA standards and a project

- timeline for that implementation. Installation must be done prior to issuance of any building permits for the residential project. See Section 2.12.7 (A1).
- b. Installation of a public art piece must comply with Planning Commission criteria for public art in Article 2 (See Section 2.12.7 (A3)). Planning Commission approval of the art must occur prior to issuance of a Land Disturbance Permit, and installation of the art piece must occur prior to issuance of any certificates of occupancy.
- c. Structured Parking shall be constructed during phase 1 in accordance with Section 2.12.7 (A4).
- d. Applicant must include a receipt with proof of payment and/or registration for the project's inclusion in the LEED certification program with its first application for a building permit. Prior to issuance of certificates of occupancy, applicant must submit a certification letter from the U.S. Green Building Council stating that the project has met its requirements.
- 5. Alpha Residential (or future property owner) shall provide a pedestrian connection to the Peachtree Creek Greenway, as illustrated on the enclosed site plan. Actual connection may vary, based on site conditions.
- 6. Ingress/egress for Driveways A, B, and C shall be designated on future plans and constructed, per Georgia Regional Transportation Authority (GRTA) recommendations.

Presidential Parkway Regional Center Supplemental Land Use Recommendations 2050 Unified Plan









DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

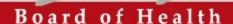
NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

COMMENTS FORM: PUBLIC WORKS WATER AND SEWER

Case No.:	Z-22-1246093			
	.#: <u>18-267-01-004</u> , 18-267-01-007,	18-267-01-008		
Address:	3375 NORTHEAST EXPY	_		
-	CHAMBLEE, GA 30341	-		
-		-		
WATER:				
Size of exis	sting water main: 8" Cl	(adequate/inadequate)		
Distance f	rom property to nearest main:adjac	ent		
	e required, if inadequate: unknown			
Is sewer ac	rvicing Project: North Fork Peachtre djacent to property: Yes (*) No () If no, eatment Facility: Atlanta	distance to nearest line:		
	• -		<u>M</u> adequate () 36	_
Sewage Ca	apacity; <u>40</u> (MGPD) TS:	Current	Flow: 36	(MGPD)
Sewer	capacity required if work is an addition	on		
			·	

Signature: Yola Lewis

DEKALB COUNTY



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10/17/2022

To: Ms. Madolyn Spann, Planning Manager

Mr. John Reid, Senior Planner

From: Ryan Cira, Environmental Health Manager Cc: Alan Gaines, Technical Sevices Manager

Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net 10/17/2022

N13 2022-2263	Z-22-1246093 18-267-01-004, 18-267-01-007, 18-267-01-008
3375 Northeast Expy, Chamblee, 0	GA 30341
Amendment	
- Please review general comment	rs.
	septic. Based on our records several surrounding properties have septic system installed.
N14 2022-2264	Z-22-1246095 18-049-01-012, 18-049-01-013
1620 Scott Blvd., Decatur, GA 300	33
Amendment	
- Please review general comment	is.
 Note: This property may be on s Our office does not have records 	septic. Based on our records several surrounding properties have septic system installed. s that indicates installation.
N15 2022 2265	Z22-1246096 15-248-09-015
2739 Craigie Ave., Decatur, GA 30	0030
Amendment	
- Please review general comment	is.
N16 2022-2268	SLUP-22-1246099 15-224-09-062
1193 Sherrington Drive, Stone Mo	untain, GA 30083
Amendment	
- Please review general comment	is.



Development Service Center 178 Sams Street Decatur, GA 30030 www.dekalbcountyga.gov/planning 404-371-2155 (o); 404-371-4556 (f)

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Andrew A. Baker, AICP

Zoning Comments – October 2022

- **N1.** No package to review.
- N2. 1845 Lawrenceville Hwy. Lawrencville Hwy is a state route. GDOT review and approval required prior to permitting. Lawrenceville Hwy is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Add ADA Ramps and a pedestrian crossing across Jordan Lane. Requires a 5-foot landscape strip with a 10 foot multi-use path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Jordan Lane is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires 12-foot travel lane from centerline with curb and gutter. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. No poles may remain within the limits of the sidewalk. Driveway on Jordan Lane cannot be relocated without Transportation approval- proposed location acceptable.
- N3. 1251 Robinwood Rd. Build 5 foot sidewalks in front of the subject property and extend to Lawrenceville Hwy within the current right of way. Robinwood Rd is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires 12 foot travel lane from centerline with curb and gutter. Requires a 5 foot landscape strip with a 5 foot sidewalk on right of way. Requires pedestrian scale streetlights. Street parking within the right of way must be approved by Roads & Drainage prior to permitting. No poles may remain within the limits of the sidewalk. Interior streets/alleys must be private.
- N4. 3458 Mountain Drive. Mountain Drive is a state route and requires GDOT review and approval prior to permitting. Requires traffic study to determine required number of lanes and queue lengths at entrances. The study will also determine the need for left turn lanes into the development. Mountain Drive is classified as a collector road. Requires a right of way dedication of 35 from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot multi-use path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Speed Limit is 45 mph (per plans). Watch minimum driveway separation spacing in Sec 14-200(6). Speed Limits between 36 to 45mph requires 245 feet of separation between driveways. Developments with 151-300 residential units require 3 access points (Land development Code Sec 14-200(5).) Suggest that if you are seeking a variance that you do it within the zoning process. Interior street must be private.
- **N5. 6168 Marbut Rd.** No parking allowed on Marbut Road.
- **N6/N7. 2179 Bouldercrest Road.** Bouldercrest Road is classified as a major arterial. Requires a right of way dedication of 50 from centerline OR such that all public infrastructure is within right of way, whichever greater. Replace curbing along property frontage. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. No Parking allowed within the right of way.
- **N8. 3507 Memorial Drive.** Memorial Drive is a state route. GDOT review and approval required prior to permitting. No comment. Based on the plan, this site it interior to the property and not adjacent to a right of way.

- N9. 311 South Howard St. (They have the wrong address on the application. It is 211 South Howard Street.) Memorial Drive is a state route within the City of Atlanta. Both agencies will have to review and approve the requirements prior to permitting. For DeKalb: Memorial Drive requires a right of way dedication of 50 foot from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. DeKalb Transportation will defer to the City of Atlanta comments for right of way improvements. South Howard St is classified as a collector street. South Howard Street requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Access point must remain at the southern property line on South Howard St. Interior private alley (instead of a shared drive for permitting) must be private. Shared drives not allowed for 6 lots, private alley in this case is allowed.
- N10. 1347 Bermuda Road. By Code- shared driveways can only be for 2 lots. A variance will be necessary to have 6 lots on a shared driveway. Suggestion: widen to 24 feet and make it a private road. Bermuda Road is classified as a collector road. requires a right of way dedication of 35 from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Watch minimum separation of drives/roads in section 14-200(6) based on the speed limit of the road.
- **N11. 8067 Rockbridge Road.** No Access on The Trace. Rockbridge Road is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. The Trace is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 5 foot sidewalk path. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights. This property is within the interior of a curve. Intersection sight distance exiting the property (based on AASHTO guidance and sealed by a professional engineer) must be met prior to permitting. Guardrail resign must also take place by a professional engineer along the Rockbridge frontage.
- N12. 1065 Fayetteville Rd. Fayetteville Road is classified as a collector road. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Graham Circle is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 12 foot travel lane from centerline of road. Requires a 5 foot landscape strip with a 5 foot sidewalk path. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights. Interior streets are shown on site plan as private. If they become public: Requires a right of way dedication of 55 feet. Requires a 5 foot landscape strip with a 6 foot sidewalk. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights.
- N13. 2255, 3375, 3395 Northeast Expressway. All access is from GDOT right of way. GDOT review and permits required. Further discussions required around the Peachtree Greenway Trail connection. All public infrastructure must be on right of way.
- N14. 1602 Scott Blvd. Scott Blvd is a state route. GDOT review and approval required prior to permitting. Scott Blvd is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. Extend Path to and along Blackmon Drive frontage. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. All interior streets to be private. No access allowed on Blackmon Drive Right in right out only allowed on Scott Blvd- with proper design to prohibit restricted movements.
- **N15. 2739 Craigie Ave.** No comment.
- **N16. 1259 Sheppard Ct.** No comment.

N17/N18. Not in package to review.

N19. No comment.

DeKalb County School District Development Review Comments

Submitted to: DeKalb County **Case #:** Z-22-1246093

Parcel #: 18-267-01-004/-007/-008

Analysis Date:

10/14/2022

Name of Development: Alpha Northeast Expressway

Location: 3355, 3375, 3395 Northeast Expy, south of Woodcock Blvd

Description: Proposed 840 apartment units to replace 3 office buildings.

Impact of Development: When fully constructed, this development would be expected to generate 93 students: 37 at

Henderson Mill Elementary, 17 at Henderson Middle School, 21 at Lakeside High School, 16 at other DCSD schools, and 2 at private school. Enrollment at Henderson Mill ES and Lakeside HS is already above capacity and additional students may require temporary or permanent classroom additions

and/or redistricting.

		Henderson				
	Henderson Mill	Middle	Lakeside	Other DCSD	Private	
Current Condition of Schools	Elementary	School	High School	Schools	Schools	Total
Capacity	504	1,590	1,705			
Portables	7	0	11			
Enrollment (Oct. 2022)	505	1,363	2,147			
Seats Available	-1	227	-442			
Utilization (%)	100.2%	85.7%	125.9%			
New students from development	37	17	21	16	2	93
New Enrollment	542	1,380	2,168			
New Seats Available	-38	210	-463			
New Utilization	107.5%	86.8%	127.2%			

		Attend	Attend other		
		Home	DCSD	Private	
Yield Rates		School	School	School	Total
Elementary		0.0446	0.0094	0.0008	0.0548
Middle		0.0197	0.0050	0.0000	0.0247
High		0.0248	0.0044	0.0010	0.0303
Total		0.0890	0.0189	0.0018	0.1097
Student Calculations					
Proposed Units		840			
Unit Type		APT			
Cluster	Lakesid	le High School			
		Attend	Attend other		
		Home	DCSD	Private	
Units x Yield		School	School	School	Total
Elementary		37.43	7.90	0.67	46.00
Middle		16.53	4.24	0.00	20.77
High		20.84	3.71	0.86	25.41
Total		74.80	15.85	1.53	92.18
		Attend	Attend other		
		Home	DCSD	Private	
Anticipated Stude	ents	School	School	School	Total
Henderson Mill Elem	entary	37	8	1	46
		4-	4	0	21
Henderson Middle S	chool	17	4	U	21
Henderson Middle S Lakeside High Sch		1 <i>7</i> 21	4	1	26



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

• Storm Water Management

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control (sections have been amended recently; please request the amended chapter), to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas. Conceptual plan doesn't indicate the location of the stormwater management facility. Location of stormwater management shall be shown or compliance with the County stormwater management regulations shall be explained. Additional consideration must be given to the 10% downstream analysis. Runoff Reduction Volume shall be provided unless technical justification is provided regarding the unfeasibility. Strongly recommend investigating the site and identify location where RRv can be provided and re-design/revise the layout to comply with the RRv requirement.

• Flood Hazard Area/Wetlands

The presence of FEMA Flood Hazard Area was indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

Stormwater management facility is not allowed in the floodplain nor in the stream buffer.

• Landscaping/Tree Preservation

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

• Tributary Buffer

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1





DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-22-1246093 Parcel I.D. #:	18-267-01-124
Address: 3325	
Chambles, GA 30841	
Adjacent R	oadway (s):
(classification)	(classification)
Capacity (TPD)	Capacity (TPD)
Latest Count (TPD) Hourly Capacity (VPH) Peak Hour. Volume (VPH) Existing number of traffic lanes Existing right of way width Proposed number of traffic lanes Proposed right of way width	Latest Count (TPD) Hourly Capacity (VPH) Peak Hour. Volume (VPH) Existing number of traffic lanes Existing right of way width Proposed number of traffic lanes
Please provide additional information relating to the following sta	tement.
According to studies conducted by the Institute of Traffic Enginee generate an average of fifteen (15) vehicle trip end (VTE) per 1, 00 actor. Based on the above formula, thesquare foot place with approximatelypeak hour vehicle trip ends.	O square feet of floor area, with an eight (8%) pareant pool, hour
single Family residence, on the other hand, would generate ten (10 teak hour factor. Based on the above referenced formula, the maximum ofunits per acres, and the given fact that the procedure trip end, andpeak hour vehicle trip end would be gene	(Single Family Residential) District designation which allows
COMMENTS:	
FIELD And Place REVIEW. A	tothing fond Host would
	Of The Day (will a



Rezoning Application to Amend the Official Zoning Map of DeKalb County, Georgia

Date Received:	Application No:
Applicant E-Mail	Paul Cables, Alpha Residential represented by Jahnee Prince, Parker Poe Address: pcables@alpharesidential.com g Address:
Applicant Daytin	ne Phone: <u>678-940-9729</u> Fax:
Owners Names:	3355 Northeast Expressway LLC; 3375 Northeast Expressway, LLC; 3395 Northeast Expressway, LLC
	Address: 34 Peachtree Street NW, 28th floor, Atlanta GA 30303 Phone: 404-861-1795
Address of Subj	ect Property:3355,3375, and 3395 Northeast Expressway, Chamblee GA 30341
Parcel ID#: 18	267 01 004, 18 267 01 008, 18 267 01 007
Acreage: 7.02	Commission District: 1 and 7
Present Zoning	District(s): OI
Proposed Zoning	g District: HR-3
Present Land Us	se Designation: OP
Proposed Land	Use Designation (if applicable):



Jahnee Prince
Associated Professional

t: 678.690.5750 f: 404.869.6972 jahneeprince@parkerpoe.com Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

August 10, 2022

Re: Rezoning Application by Alpha Residential for approximately 7.02 acres located at 3355, 3375, and 3395 Northeast Expressway, Chamblee, Georgia 30341

Dear Property Owner:

Our law firm represents Alpha Residential, with respect to the above referenced application for rezoning from OI, Office Institutional to HR-3, High Density Residential-3 to develop up to 840 apartments at 3355, 3375, and 3395 Northeast Expressway, Chamblee, Georgia 30341. A map is attached that shows the location of the subject property and there is a concept plan that shows the conceptual plan for the apartment buildings.

In accordance with Dekalb County's requirements, we are notifying, in writing, all surrounding property owners within a 500 feet radius of the subject property as shown on the most current tax record, and neighborhood associations/community groups within one half mile, that we will be hosting a Zoom community information meeting on August 25, 2022 at 6 pm. Please use this link to join the Zoom Meeting:

https://parkerpoe.zoom.us/j/87399868605?pwd=TzRDd3BFdXBCRE9LLzJjdDRDMnMvdz09

Meeting ID: 873 9986 8605

Passcode: 650401 One tap mobile

+13017158592,,87399868605#,,,,*650401# US (Washington DC)

+13092053325,,87399868605#,,,,*650401# US

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 386 347 5053 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

Meeting ID: 873 9986 8605

Passcode: 650401

Find your local number: https://parkerpoe.zoom.us/u/kdA01I6ruM

August 10, 2022 Page 2

The rezoning application will be filed on September 1, 2022. Once our application is accepted by Dekalb County staff, additional materials filed in support of the application may be viewed at https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info. The anticipated Dekalb County Planning Commission hearing date is November 1, 2022 at 5:30 p.m. and the anticipated Dekalb County Board of Commissioners public hearing date is November 17, 2022 at 5:30 p.m.

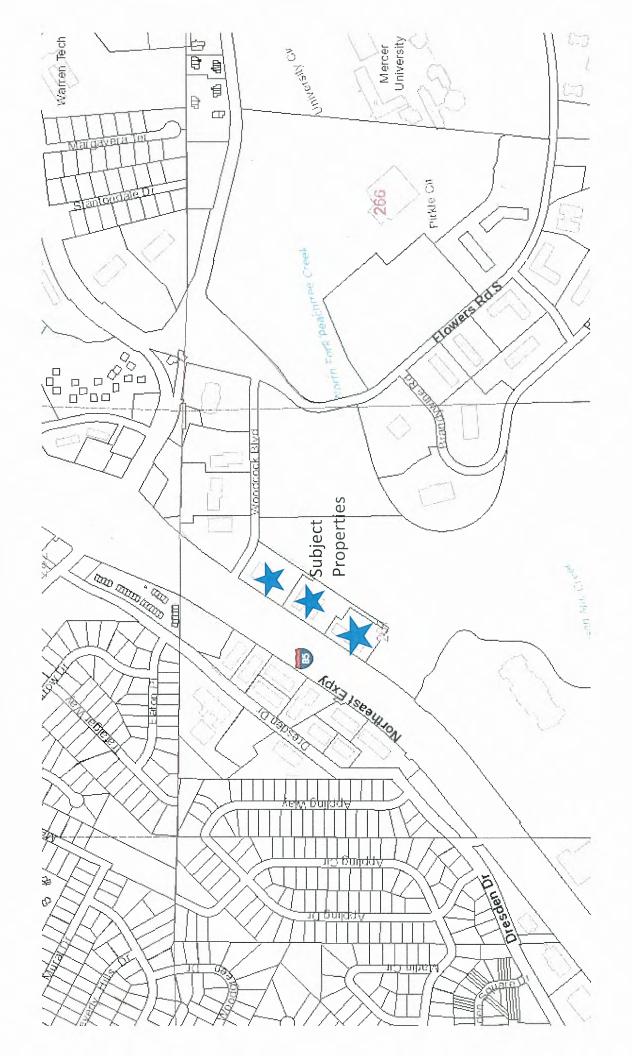
The application does not include your property and this notice does not require that you take any action, only that you be notified as to the matters contained herein. Nevertheless, please feel free to contact me with any questions or concerns regarding the application.

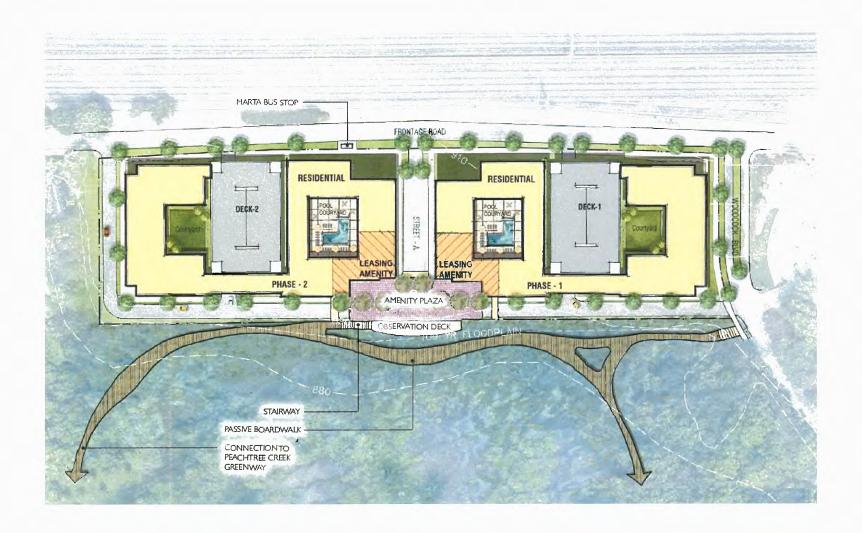
Very truly yours,

J Prince

Jahnee Prince

JP Enclosures















Atlanta, GA July 25, 2022







Development Service Center 178 Sams Street Decatur, GA 30030 www.dekalbcountyga.gov/planning 404-371-2155 (o); 404-371-4556 (f)

Chief Executive Officer

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Michael Thurmond

Andrew A. Baker, AICP

Property owner mailing list disclaimer for DeKalb County

We are providing a list of property owners as a courtesy. It may or may not contain all property owners. It is the applicant's responsibility to ensure that they are complying with the community meeting requirements, including contacting all property owners within 500 feet of the subject property.

No application for an amendment to the land use plan, an amendment to the official zoning map or special land use permit or a major amendment/modification to a condition of zoning shall be filed and/or accepted for filing until such time as the applicant has conducted a publicized pre-submittal community meeting(s) with surrounding neighborhood association(s)/community groups within one-half (1/2) mile of the subject property and adjacent and nearby property owners within five hundred (500) feet of the subject property.

A notice of the pre-submittal community meeting shall be made in writing. The pre-submittal community meeting shall be held via an online meeting service (e.g. Zoom, Skype, Microsoft Teams, etc.). The online, pre-submittal community meeting shall take place no less than fifteen (15) days after the date of the written notice. Additionally, online, pre-submittal community meetings shall be conducted no earlier than 5:00p.m. on weekdays or between the hours of 9:00a.m. – 5:00p.m. on weekends. Online meetings shall be recorded. Applicants are required to provide documentation that verifies the occurrence of said meeting(s), including but not limited to notice letter, sign-in sheets or correspondence from the neighborhood association(s) or residents from the community before the application can be considered complete by the published Filing Deadline.

Northeast Expressway POINT JOE PARTNERS LLC 3300 NE EXPRESSWAY BLDG 6 ATLANTA GA 30341

Northeast Expressway THIRTY-THREE HUNDRED 3300 NORTHEAST EXPY NE # A ATLANTA GA 30341

Northeast Expressway BOSM 3240 CHAMBLEE LLC 3240 NORTHEAST EXPRESSWAY 100 ATLANTA GA 30341

Northeast Expressway ROLLINS CONTINENTAL INC 2170 PIEDMONT AVE NE ATLANTA GA 30324

Northeast Expressway RAPIER RONALD BENARD 3043 QUANTUM LN # 11 ATLANTA GA 30341

Northeast Expressway EVANS KAYE S 3035 QUANTUM LN CHAMBLEE GA 30341

Northeast Expressway ZHANG XIN 3033 QUANTUM LN # 8 ATLANTA GA 30341

Northeast Expressway ELLSBERRY TIMOTHY 3037 QUANTUM LN # 10 ATLANTA GA 30341 Northeast Expressway REALTY INCOME CORPORATION 2424 RIDGE RD ROCKWALL TX 75087

Northeast Expressway 3300 BUILDING 4 LLC 3300 NE EXPRESSWAY BLDG 3 ATLANTA GA 30341

Northeast Expressway DAVIS FOX GROUP LLC 3300 NORTHEAST EXPY NE # 8 ATLANTA GA 30341

Northeast Expressway DUKE DAVIDSON LLC 3835 PRESIDENTIAL PKWY STE 200 ATLANTA GA 30340

Northeast Expressway DRESDEN CAPITAL PARTNERS LLC 28 WING MILL RD ATLANTA GA 30350

Northeast Expressway RINGER KELLY 3039 QUANTUM LN # 9 CHAMBLEE GA 30341

Northeast Expressway WHITE DIEDREA 2931 ARBOR CREEK LN ATLANTA GA 30341 Northeast Expressway 3375 NORTHEAST EXPRESSWAY LLC 5675 JIMMY CARTER BLVD STE 109 LILBURN GA 30047

Northeast Expressway CORPORATION OF MERCER 1350 SPRING ST NW ATLANTA GA 30309

Northeast Expressway UNITED CEREBRAL PALSY OF GA 3300 NORTHEAST EXPY 9 ATLANTA GA 30341

Northeast Expressway WOODSPRING SUITES ATL-CHAMBLEE P O BOX 49550 CHARLOTTE NC 28277

Northeast Expressway RHAMES PATRICIA 3029 QUANTUM LN # 6 CHAMBLEE GA 30341

Northeast Expressway BOYD ATLANTA TULANE LLC P.O. BOX 13470 RICHMOND VA 23225

Northeast Expressway BYRD W DEAN 3041 QUANTUM LN CHAMBLEE GA 30341

COMMUNITY COUNCIL DIST. 1 ROSTER

Name	Email	Address
Thomas Bowen	thomas.bowen@yahoo.com	
Bob Espy	respy49779@aol.com	
Kathy Glenn	kmglenn@att.net	
Liz Hanfelt	ejhanfelt@bellsouth.net	
Doug Harms	dougers1979@gmail.com	
Chuck Hunt	chuckhunt1972@gmail.com	
Russ Jamieson	russjam 2000@yahoo.com	
Mark Just	mark.shhoa@gmail.com	
Paul Maner	paul.maner@yahoo.com	
Kelley McManaman	kelmark@comcast.net	
Bruce Penn	pennhastings@yahoo.com	
Jack Sartain	jb5951@aol.com	
Fred Smith	w.fred.smith.ii@gmail.com	
Ben Truman	btru404@gmail.com	
Jenna Teston	jennateston@gmail.com	
	ewtingley@gmail.com	
Edgar Tingley	ewtingley@gman.com	



Jahnee Prince
Associated Professional
t: 678.690.5750
f: 404.869.6972
jahneeprince@parkerpoe.com

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

September 1, 2022

Via Email

Ms. Rachel Bragg Zoning Administrator Dekalb County Department of Planning and Sustainability 178 Sams Street Decatur, GA 30030

Re: Rezoning Application ("**Application**") by Alpha Capital Partners, LLC ("**Applicant**") with respect to approximately 7.24 acres being properties commonly known as 3355, 3375, and 3395 Northeast Expressway, Chamblee GA 30341; Tax Parcel Numbers 18 267 01 004, 18 267 01 008, 18 267 01 007 (the "**Property**")

LETTER OF APPLICATION

Dear Rachel:

This law firm has the pleasure of representing Applicant with respect to the Application. Applicant respectfully submits for consideration the Application, seeking a rezoning of the Property from the OI, Office-Institutional, district to the HR-3, High Density Residential, district to allow for the development of the Property with 775-unit multifamily units contained in two seven story buildings.

The Property -- Background and Existing Zoning

The Property includes three improved parcels, **3355**, **3375**, **and 3395 Northeast Expressway**, Tax Parcel Numbers 18 267 01 004, 18 267 01 008, 18 267 01 007 respectively. The property is 7.02 acres in size and is located on Northeast Expressway, just south of Woodcock Drive. The Property contains three office buildings with associated surface parking. Applicant has the Property under contract to purchase from the existing owners. If this Application is approved, the Applicant intends to redevelop the Property with 775 apartments.

The existing zoning for the Property is OI. The Property is currently designated as Office Professional on the County's currently adopted comprehensive plan future land use map. The

Draft 2050 Unified Plan, currently under consideration for adoption, designates this area as part of the Regional Activity Center at the intersection of Interstates 85 and 285. This Application, including the proposed density and mix of uses, is consistent with the Draft 2050 Unified Plan's Future Land Use designation.

Proposed Redevelopment and Rezoning

Applicant is requesting the rezoning of the 7.24 acre Property, known as 3355, 3375, and 3395 Northeast Expressway, from the current OI (Office Institutional District) to HR-3 (High Density Residential 3) to provide 775 multi-family apartments (mix of studio, one and two bedroom units) with associated amenity areas and 5,000 square feet of accessory retail space. The two buildings will be seven stories in height and there will be an associated parking garage integrated into the design of the buildings.

The proposed rezoning is consistent with the Regional Center Future Land Use designation for this area from the Draft 2050 Unified Plan. The Draft 2050 Unified Plan's states that:

The intent of the Regional Activity Center is to promote the concentration of intensity, development and regional serving activities in a centralized location that allows for a variety of uses, reduces dependency on automobile travel, and promotes walkability and increased transit usage. These areas include the highest intensity residential, commercial, office, and higher-education facilities allowed within DeKalb County and serve as regional destinations for employment, shopping, and services. These areas are characterized by high accessibility via the interstates and major roadways, transit, and trails. The areas also have on-site parking, high floor-area ratios, large tracts of land, and campus or unified development.

The Property is currently developed with three low rise office buildings on adjacent parcels. All three office buildings are currently vacant except for one tenant. The buildings have been mostly vacant for the past five years. The attached site plan illustrates the proposed configuration of the site and its proposed connection to the Peachtree Creek trail and natural area to the east of the Property.

Proposed Residential Density

Applicant's site plan includes 775 total housing units on 7.24 acres. This equates to a density of 107 units per acre, which exceeds the base 60 units per acre allowed in the HR-3 zoning district. However, Applicant qualifies for over 120 units per acre as permitted in the proposed zoning district by adding the following bonus density incentive site features:

- Bus shelter (allows 20% increase in density = 12 additional units per acre)
- Public art (allows 20% increase in density = 12 additional units per acre)
- Parking garage (allows 20% increase in density = 12 additional units per acre)
- Certification that proposed buildings, if built as designed, would be accredited by LEED®, EarthCraft, or other similar national accreditation organization, for

energy- and water-efficient site and building design. (allows 50% increase in density = 30 additional units per acre)

	Density Bonus	ses Utilized
Base Density	60 units per acre	60 units per acre
Bus shelter	20% density increase	+12 units per acre
Public art	20% density increase	+12 units per acre
Parking garage	20% density increase	+12 units per acre
LEED buildings	50% density increase	+30 units per acre
	Total Density Allowed	=126 units per acre

Rezoning Application Requirements¹

The Dekalb County Rezoning Application sets forth the requirements applicable to rezoning applications, some of which are addressed above and the remainder of which are addressed in supporting documents. Specifically, in support of the Application, Applicant submits the following documents:

1. Documentation of **Pre-Application Conference held with** with Planning & Sustainability staff member John Reid on August 8.

¹ Applicant notifies the Dekalb County of its constitutional concerns with respect to its Application. If the Dekalb County Board of Commissioners (the "Board") denies the Application in whole or in part, then the Property does not have a reasonable economic use under Dekalb County, Georgia - Code of Ordinances/ Chapter 27 - Zoning (the "Zoning Ordinance"). Moreover, the Application meets the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl vs. Holcomb Bridge Road, 238 Ga. 322 (1977). If the Board denies the Application in whole or in part, such an action will deprive Applicant of the ability to use the Property in accordance with its highest and best use. Similarly, if the Board rezones the Property to some classification other than HR-3 without Applicant's consent, or if the Board limits its approval by attaching conditions to such approval affecting the Property or the use thereof without Applicant's consent, then such approval would deprive Applicant of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (see Ga. Const. 1983, Art. I, § 3, para. 1(a)), and the just compensation clause of the Fifth Amendment to the United States Constitution (see U.S. Const. Amend. 5). To the extent that the Zoning Ordinance allows such an action by the Board, the Zoning Ordinance is unconstitutional. Any such denial or conditional approval would discriminate between Applicant and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Georgia Constitution and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Also, a failure to grant the Application or a conditional approval of the Application (with conditions not expressly approved by Applicant) would constitute a gross abuse of discretion and would constitute an unconstitutional violation of Applicant's rights to substantive and procedural due process as quaranteed by the Georgia Constitution (see Ga. Const. 1983, Art. I, § 1, para. 1) and the Fifth and Fourteenth Amendments of the United States Constitution (see U.S. Const. Amend. 5 and 14). Applicant further challenges the constitutionality and enforceability of the Zoning Ordinance, in whole and in relevant part, for lack of objective standards, guidelines or criteria limiting the Board's discretion in considering or deciding applications for rezonings. Nevertheless, Applicant remains optimistic that Board's consideration of the Application will be conducted in a constitutional manner.

- 2. Documentation of Zoom **Pre-Submittal Community Meeting** in the form of meeting recording.
- 3. **Application** submitted via the plansustain@dekalbcountyga.gov as requested on the County's website with materials in the following order.
 - A. **Application form** with name and address of applicant and owner, and address of subject property;
 - B. Pre-submittal community meeting notice and recording of Zoom meeting as documentation of meeting;
 - C. Letter of application and impact analysis
 - 1. Letter of application
 - 2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance.
 - D. **Authorization Form** from the current property owner.
 - E. **Campaign disclosure statements** (required by State law) for owner, applicant, and applicant's representative.
 - F. **Legal boundary surveys** of the subject properties, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia.
 - G. Site Plan including the following:
 - a. complete boundaries of subject property;
 - b. dimensioned access points and vehicular circulation drives;
 - c. location of all existing and proposed buildings, structures, setbacks and parking;
 - d. location of 100 year floodplain and any streams;
 - e. notation of the total acreage or square footage of the subject property;
 - f. landscaping, tree removal and replacement, buffer(s); and
 - g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
 - H. Reduced Site Plan, reduced to 8.5" x 11".
 - I. Written Legal Description of metes and bounds of the subject property
 - J. **Building Form Information.** Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.
 - K. **Completed, signed Pre-application Form** (Provided at pre-application meeting) and Rezoning Application Fee in the amount of \$750.

Concurrent Variance Application

The Dekalb County, Georgia – Code of Ordinances / Chapter 27 – Zoning / Article 6.-Parking/ Section 6.1.4. – Off Street Parking Ratios. requires that multi-family dwellings provide 1.5 parking spaces per dwelling unit. Because these apartment buildings are planned to be 80% studio and one bedroom units, significantly fewer parking spaces are needed than are required. Applicant plans to submit for consideration to the Zoning Board of Appeals a variance application to reduce the required number of parking spaces. It is anticipated that a ratio of 1.25 parking spaces per unit will be needed for these apartments. The variance application will be submitted after the public hearings for the rezoning application have begun.

Applicant respectfully requests that the Planning and Sustainability Department (the "**Department**") recommend approval of the Rezoning Application to the Planning Commission and Board of Commissioners. Applicant is happy to answer questions or provide any additional information that the Department and the County may have with regard to this Application.

Sincerely,

Jahnee Prince, AICP Associated Professional

JP/jp/ews

CC:

Mr. Paul Cables Ellen W. Smith, Esq.



Jahnee R. Prince
Associated Professional
t: 678.690.5710
f: 404.869.6972
jahneeprince@parkerpoe.com

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

September 1, 2022

VIA EMAIL

Rachel Bragg, Zoning Administrator Department of Planning & Sustainability Dekalb County, Georgia 178 Sams Street Decatur, GA 30030

Re: Rezoning Application ("Application") by Alpha Capital Partners LLC ("Applicant") with respect to the approximately 7.24-acre property commonly known as 3355, 3375, and 3395 Northeast Expressway, Atlanta, Georgia 30341, Tax Parcel Numbers 18 267 01 004, 18 267 01 008, 18 267 01 007 (the "Property")

IMPACT ANALYSIS

Applicant is requesting the rezoning of Property, from the current OI (Office Institutional) District to HR-3 (High Density Residential - 3) district to re-purpose the currently vacant structures to allow for a 775 unit residential complex with the density of 107 units per acre, with a connection to proposed Peachtree Creek Greenway (the "**Proposed Development**").

A. The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

The Proposed Development is aligned with the intent of the Regional Center character area to promote the concentration of density, development, and regional serving activities in a centralized location that reduces dependency on automobile travel and promotes walkability and increased transit usage, as envisioned in Dekalb County 2050 Unified Plan: Comprehensive Land Use Plan (the "2050 Unified Plan"). The Regional Center character area descriptions specify apartments as preferred uses, and list HR-3 as permitted zoning. The rezoning will allow for a higher density residential area that is highly accessible not only via the interstate, but also public transit and trails. With the easy access to the nearby Executive Office Park and Mercer University Atlanta Campus, the Proposed Development will help to transform the area into a regional destination for employment and services. Also, while the area will provide on-site parking to accommodate those traveling by car, the Proposed Development will promote healthy living by incorporating a pedestrian environment that values adjacent environmental assets and encourages socialization, walking, biking, and connectivity.

B. The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

The proposed rezoning will positively affect the existing use and nearby properties by expanding the mix of available housing options for professionals looking to live near their work, including those with jobs in the Executive Office Park and Mercer University Atlanta Campus. The boardwalk connection to the planned trail on Mercer property will ensure walkable access, reducing dependency on automobile travel.

C. The Property to be affected by the zoning proposal does not have a reasonable economic use as currently zoned.

The office buildings on site have sat almost completely vacant for over five years demonstrating the low demand for office buildings at this location and that this property does not have reasonable economic use under the current OI zoning district.

D. The zoning proposal will not adversely affect the existing use of usability of adjacent or nearby properties.

The Property is in an appropriate location for the Proposed Development that will complement the nearby residential neighborhoods and surrounding office and higher intensity uses. The Proposed Development introduces an easily accessible residential complex that revitalizes an underutilized site by redeveloping the area and expanding the mix of available housing options available to those with jobs in the area.

E. Other existing or changing conditions that affect the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The proposed rezoning will be in conformity with the policy and intent of Dekalb County 2050 Unified Plan: Comprehensive Land Use Plan. The Proposed Development meets the goal of encouraging more diverse housing and development types to meet the changing needs of residents and communities, as listed in the 2050 Unified Plan. The Proposed Development adds development and intensity near a public transit station with high quality, diverse housing options that revitalizes an underutilized site and addresses the national housing shortage.

F. The zoning proposal will not adversely affect historic building, sites, districts, or archeological resources.

The Proposed Development is designed to complement existing uses nearby and will not adversely affect historic building, sites, districts, or archeological resources.

G. The zoning proposal will not result in a use which could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The Property sits on a major thoroughfare with multiple outlets with easy access to the nearby highway, access to sewer, MARTA bus stops, and proposed trail connectivity that will reduce the traffic burden on adjacent roads.

H. The zoning proposal does not adversely impact the environment or surrounding natural resources.

The zoning proposal is aligned with the goals of protecting environmentally sensitive areas and preserving open space, natural resources, and the environment as expressed in the 2050 Unified Plan. To showcase the value and importance of the nearby environmental assets, the Proposed Development includes an observation deck and a passive boardwalk over the adjacent shrub and herbaceous wetlands, with a connection to Peachtree Creek Greenway.

Applicant respectfully requests that the Department of Planning & Sustainability (the "Department") recommend approval of the Application to the Planning Commission and the Board of Commissioners. Applicant is happy to answer questions or provide any additional information regarding this Application.

Sincerely,

Jahnee R. Prince

JР



AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 8/30/2022

TO WHOM IT MAY CONCERN:

(I) (WE) <u>3355 Northeast Expressway, LLC; 3375 Northeast Expressway, LLC; and 3395 Northeast Expressway, LLC</u>
Name of owner(s)

Alpha Capital Partners, LLC ico Jahnee Prince, Parker Poe LLC

being (owner) (owners) of the subject property described below or attached hereby delegate authority to

Notary Public

Owner

Owner



DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions <u>must</u> be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes	No_	*

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

- 1. The name and official position of the local government official to whom the campaign contribution was made.
- 2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. <u>and</u> to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary

Signature of Applicant /Date

Check one: Owner____Agent____



DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions <u>must</u> be answered.

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If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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Notary

Signature of Applicant /Dat

Check one: Owner Agent

Expiration Date/ Seal

Opez La

^{*}Notary seal not needed if answer is "no".



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In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

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Yes	No 🔨	*

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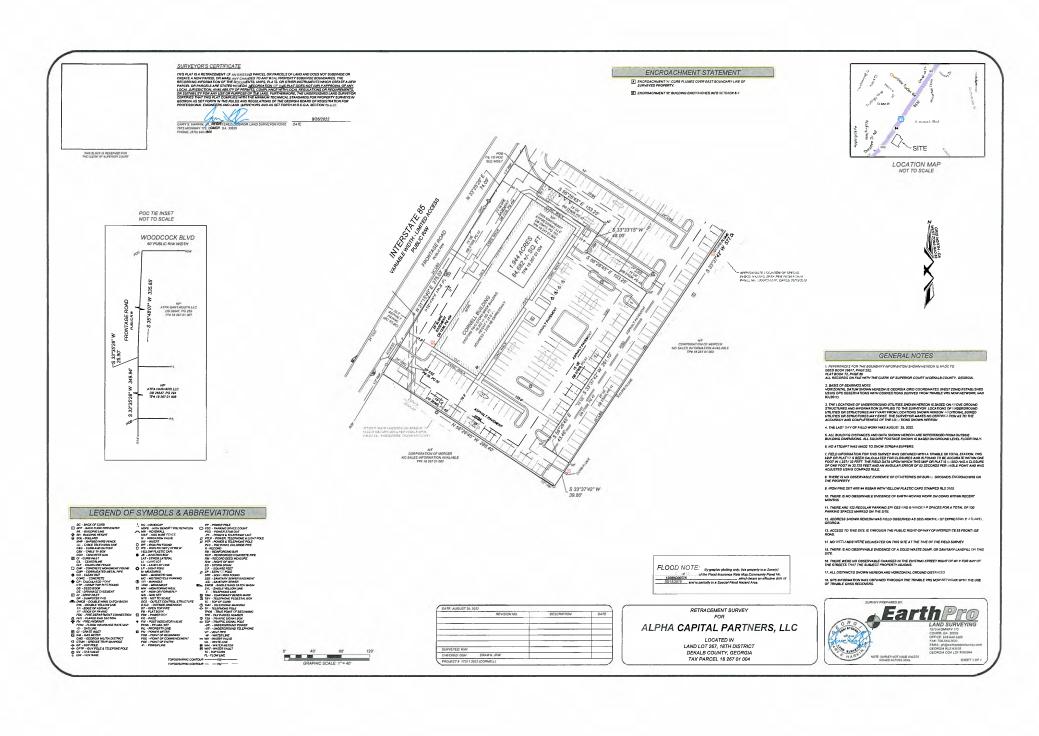
Check one: Owner Agent

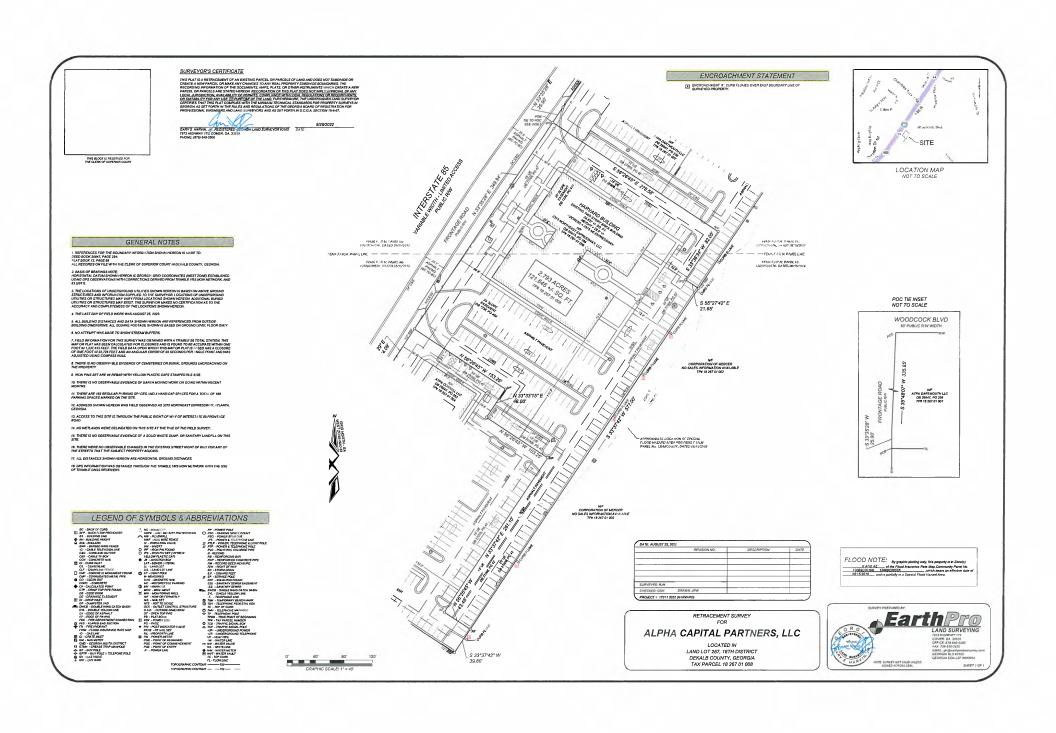
Expiration Date/Seal

Note Note

County

^{*}Notary seal not needed if answer is "no".









4. THE LAST DAY OF FIELD WORK WAS AUGUST 25, 2022.

5. ALL BUILDING DISTANCES AND DATA SHOWN HEREON ARE REFERENCED FROM OUTSIDE BUILDING DIMENSIONS. ALL SQUARE FOOTAGE SHOWN IS BASED ON GROUND LEVEL FLOOR ONLY

6. NO ATTEMPT WAS MADE TO SHOW STREAM BUFFERS.

8. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURAL GROUNDS ENTHE PROPERTY

9. IRON PINS SET ARE #4 REBAR WITH YELLOW PLASTIC CAPS STAMPED RLS 3105

10. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK ON GOING WITHIN RECENT MONTHS. 11. THERE ARE 169 REQULAR PARKING SPACES AND 1 HANDICAP SPACES FOR A TOTAL OF 170 PARKING SPACES MARKED ON THE SITE.

14. NO WETLANDS WERE DELINEATED ON THIS SITE AT THE TIME OF THE FIELD SURVEY.

15. THERE IS NO OBSERVABLE EVIDENCE OF A SOLID WASTE DUMP, OR SANITARY LANDFILL ON THIS SITE.

16. THERE WERE NO OBSERVABLE CHANGES IN THE EXISTING STREET RIGHT OF WAY FOR ANY OF THE STREETS THAT THE SUBJECT PROPERTY ADJOINS.

17. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES

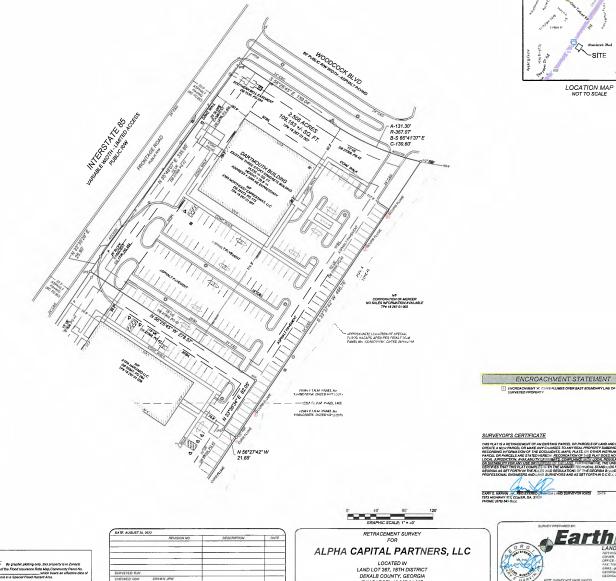
18. GPS INFORMATION WAS OBTAINED THROUGH THE TRAVELE VRS NOW NETWORK WITH THE USE OF TRIVELE GIRS RECEIVERS.

LEGEND OF SYMBOLS & ABBREVIATIONS

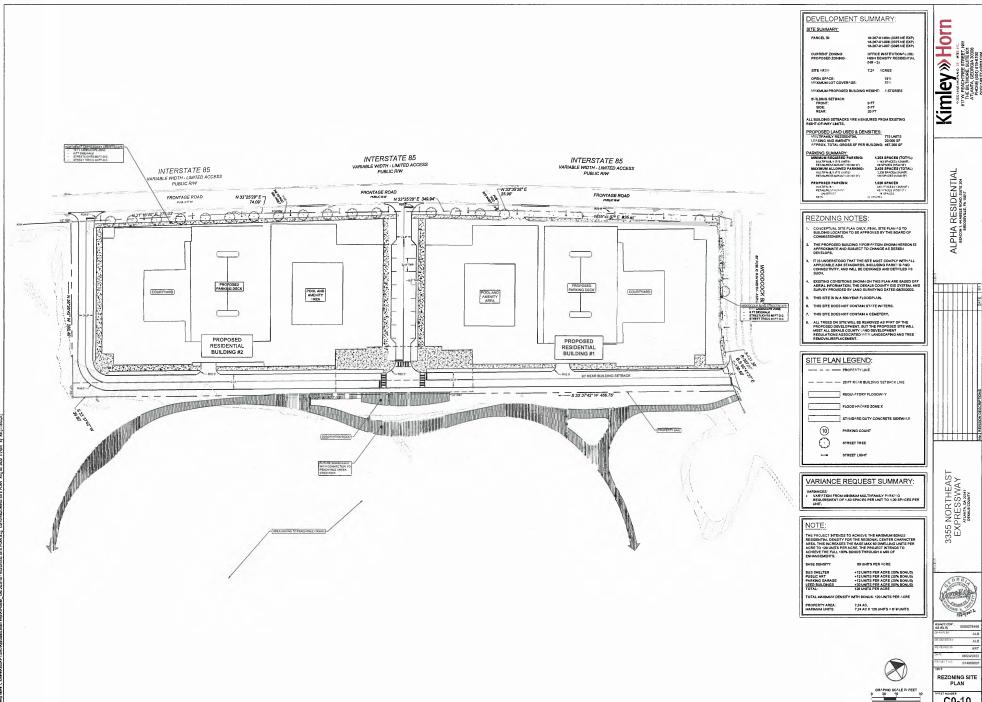




DRAWN: JRW



TAX PARCEL 18 267 01 007





C0-10

DARTMOUTH BUILDING – 3395 NORTHEAST EXPRESSWAY

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 267 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY OF WOODCOCK BOULEVARD (60' R/W) WITH THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85 (VARIABLE R/W), AS SAID RIGHTS-OF-WAY NOW EXIST; THEN ALONG THE SOUTHWESTERLY RIGHT OF WAY OF WOODCOCK BOULEVARD THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) SOUTH 56 DEGREES 26 MINUTES 45 SECONDS EAST 159.04 FEET TO A POINT AND 2) WITH A CURVE TO THE LEFT HAVING A RADIUS OF 367.07 FEET AND A CHORD BEARING SOUTH 66 DEGREES 41 MINUTES 37 SECONDS EAST 130.60 FEET, AN ARC DISTANCE OF 131.30 FEET TO ½" REBAR; THENCE SOUTH 33 DEGREES 37 MINUTES 42 SECONDS WEST 466.76 FEET TO A ½" REBAR; THENCE NORTH 56 DEGREES 27 MINUTES 42 SECONDS WEST 21.65 FEET TO A POINT; THENCE NORTH 33 DEGREES 36 MINUTES 34 SECONDS EAST 82.05 FEET TO A NAIL FOUND; THENCE NORTH 56 DEGREES 26 MINUTES 45 SECONDS WEST 278.57 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85; THENCE ALONG THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85 NORTH 33 DEGREES 35 MINUTES 28 SECONDS EAST 25.90 FEET TO A POINT; THENCE ALONG THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85 NORTH 36 DEGREES 36 MINUTES 28 SECONDS EAST 25.90 FEET TO A POINT; THENCE ALONG THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85 NORTH 35 DEGREES 48 MINUTES 07 SECONDS EAST 335.85 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 2.506 ACRES OR 109,163 SQUARE FEET

TOGETHER WITH THE EASEMENTS CONVEYED AND DESCRIBED IN THE DOCUMENT DATED DECEMBER 21, 1970 RECORDED IN DEED BOOK 2600, PAGE 30, DEKALB COUNTY RECORDS AND SHOWN ON THE PLAT RECORDED IN PLAT BOOK 56, PAGE 52, AFORESAID RECORDS.

HARVARD BUILDING - 3375 NORTHEAST EXPRESSWAY

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 267 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENT AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY OF WOODCOCK BOULEVARD (60' R/W) AND THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85; THENCE ALONG THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85 THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) SOUTH 35 DEGREES 48 MINUTES 07 SECONDS WEST 335.85 FEET AND 2) SOUTH 33 DEGREES 35 MINUTES 28 SECONDS WEST 25.90 FEET TO THE POINT OF BEGINNING: THENCE SOUTH 56 DEGREES 26 MINUTES 45 SECONDS EAST 278.57 FEET TO A NAIL FOUND; THENCE SOUTH 33 DEGREES 36 MINUTES 24 SECONDS WEST 82.05 FEET TO A POINT; THENCE SOUTH 56 DEGREES 27 MINUTES 42 SECONDS EAST 21.65 FEET TO ½" REBAR; THENCE SOUTH 33 DEGREES 37 MINUTES 42 SECONDS WEST 577 FEET TO NAIL FOUND; THENCE NORTH 56 DEGREES 25 MINUTES 45 SECONDS WEST 43.46 FEET TO A NAIL FOUND; THENCE NORTH 33 DEGREES 37 MINUTES 42 SECONDS EAST 261.10 TO A NAIL FOUND; THENCE NORTH 56 DEGREES 26 MINUTES 45 SECONDS WEST 103.25 FEET TO A ½" REBAR: THENCE NORTH 33 DEGREES 33 MINUTES 15 SECONDS EAST 48.00 FEET TO A NAIL FOUND; THENCE NORTH 56 DEGREES 26 MINUTES 45 SECONDS WEST 153.25 TO A 1/2" REBAR ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 85: THENCE ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 85 NORTH 33 DEGREES 35 MINUTES 28 SECONDS EAST 349.94 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 2.793 ACRES OF 121,646 SQUARE FEET, MORE OR LESS.

TOGETHER WITH THE EASEMENTS CONVEYED AND DESCRIBED IN THE DOCUMENT DATED DECEMBER 21, 1970 RECORDED IN DEED BOOK 2600, PAGE 30, DEKALB COUNTY RECORDS AND SHOWN ON THE PLAT RECORDED IN PLAT BOOK 56, PAGE 52, AFORESAID RECORDS.

CORNELL BUILDING - 3355 NORTHEAST EXPRESSWAY

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 267 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY OF WOODCOCK BOULEVARD (60 R/W) AND THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85; THENCE ALONG THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85 THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) SOUTH 35 DEGREES 48 MINUTES 07 SECONDS WEST 335.85 FEET AND 2) SOUTH 33 DEGREES 35 MINUTES 28 SECONDS WEST 349.94 FEET TO THE POINT OF BEGINNING: THENCE SOUTH 56 DEGREES 26 MINUTES 45 SECONDS EAST 153.25 FEET TO A NAIL FOUND' THENCE SOUTH 33 DEGREES 33 MINUTES 15 SECONDS WEST 48.00 FEET TO A 1/2" REBAR; THENCE SOUTH 56 DEGREES 26 MINUTES 45 SECONDS EAST 103.25 FEET TO A NAIL FOUND' THENCE SOUTH 33 DEGREES 37 MINUTES 42 SECONDS WEST 261.10 FEET TO A NAIL FOUND; THENCE SOUTH 56 DEGREES 26 MINUTES 45 SECONDS EAST 43.46 FEET TO A NAIL FOUND; THENCE SOUTH 33 DEGREES 37 MINUTES 42 SECONDS WEST 39.80 FEET TO ½" REBAR; THENCE NORTH 56 DEGREES 26 MINUTES 45 SECONDS WEST 288.40 FEET TO A 1/2" REBAR ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 85; THENCE ALONG THE SOUTHEASTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY 85 NORTH 31 DEGREES 15 MINUTES 40 SECONDS EAST 275.03 FEET TOA CONCRETE MONUMENT; THENCE NORTH 33 DEGREES 25 MINUTES 29 SECONDS EAST 74.09 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 1.944 ACRES OF 84,682 SQUARE FEET, MORE OR LESS

TOGETHER WITH THE EASEMENTS CONVEYED AND DESCRIBED IN THE DOCUMENT DATED DECEMBER 21, 1970 RECORDED IN DEED BOOK 2600, PAGE 30, DEKALB COUNTY RECORDS AND SHOWN ON THE PLAT RECORDED IN PLAT BOOK 56, PAGE 52, AFORESAID RECORDS.





West





East

404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Andrew A. Baker, AICP

PRE-APPLICATION FORM REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE

(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: _ Jahnee Prince Phone: : (678) 690 5710 Email: jahneeprince@parkerpoe.com
Property Address: _3355, 3375, 3395 NE Expressway
Tax Parcel ID:18 267 01 004,007, 008 Comm. District(s): _1 & 7 Acreage: 7
Existing Use: Vacant Commercial Buildings Proposed Use Apartments (Non-senior housing)
Supplemental Regs: _NA Overlay District: _NA DRI:YES
Rezoning : YesX No
Existing Zoning:O-I (Office-Institutional) Proposed Zoning: _HR-3 (High Density Residential) Square Footage/Number of Units:700
Rezoning Request: _O-I to HR-3 for multi-family apartments in two high-rise buildings
Land Use Plan Amendment: Yes No _ X
Existing Land Use: _OP Proposed Land Use: _NA Consistent InconsistentX Land Use in 2050 Unified Plan (if adopted) _Regional Center
Special Land Use Permit: Yes NoX_ Article Number(s) 27
Major Modification:
Existing Case Number(s):NA
Condition(s) to be modified:



DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION
Pre-submittal Community Meeting:X Review Calendar Dates:X PC: 11/01/22*
BOC: _11/17/22** Letter of Intent: _XImpact Analysis: _X Owner Authorization(s): _X
Campaign Disclosure:X Zoning Conditions: _X Community Council Meeting: _10/19/22
Public Notice, Signs:X_(Applicant must pick up and post and/or will be done by Staff) Tree
Survey, Conservation: Land Disturbance Permit (LDP):X Sketch Plat:X
Bldg. Permits:X Fire Inspection:X Business License:X State License:
Lighting Plan: Tent Permit: Submittal Format: NO STAPLES, NO BINDERS
PLEASE
*Deadline for hosting pre-community meeting with 15 days notice for November 2022 agenda cycle
would be 08/31/22
**Filing Deadline for application is $09/01/22$. If there are more than 20 cases on November agenda cycle
then case would be heard in January 2023.
Deview of Site Dien
Review of Site Plan
Density:X Density Bonuses:X Mix of Uses: Open Space:X
Enhanced Open Space: _X Setbacks: front _X sides _X side corner rearX
Lot Size:X Frontage:X Street Widths:X Landscape Strips:X
Buffers:X Parking Lot Landscaping:X Parking - Auto:X Parking - Bicycle:
X Screening:X Streetscapes:X Sidewalks: _XFencing/Walls: _X
Bldg. Height:X Bldg. Orientation: Bldg. Separation: Bldg. Materials: _X Roofs:
X Fenestration:X Façade Design:X Garages:X Pedestrian Plan:X
Perimeter Landscape Strip:X
Possible Variances: Current OP Land Use designation maxes out at 30 units per acre. In order to achieve
Possible Variances: Current OP Land Use designation maxes out at 30 units per acre. In order to achieve a proposed density of 100 units per acre, the applicant indicates that the 2050 Unified Plan designates the

Show compliance with HR-3 requirements, including but not limited to density bonuses for density above 60

consistent with Land Use Plan.

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DEPARTMENT OF PLANNING & SUSTAINABILITY

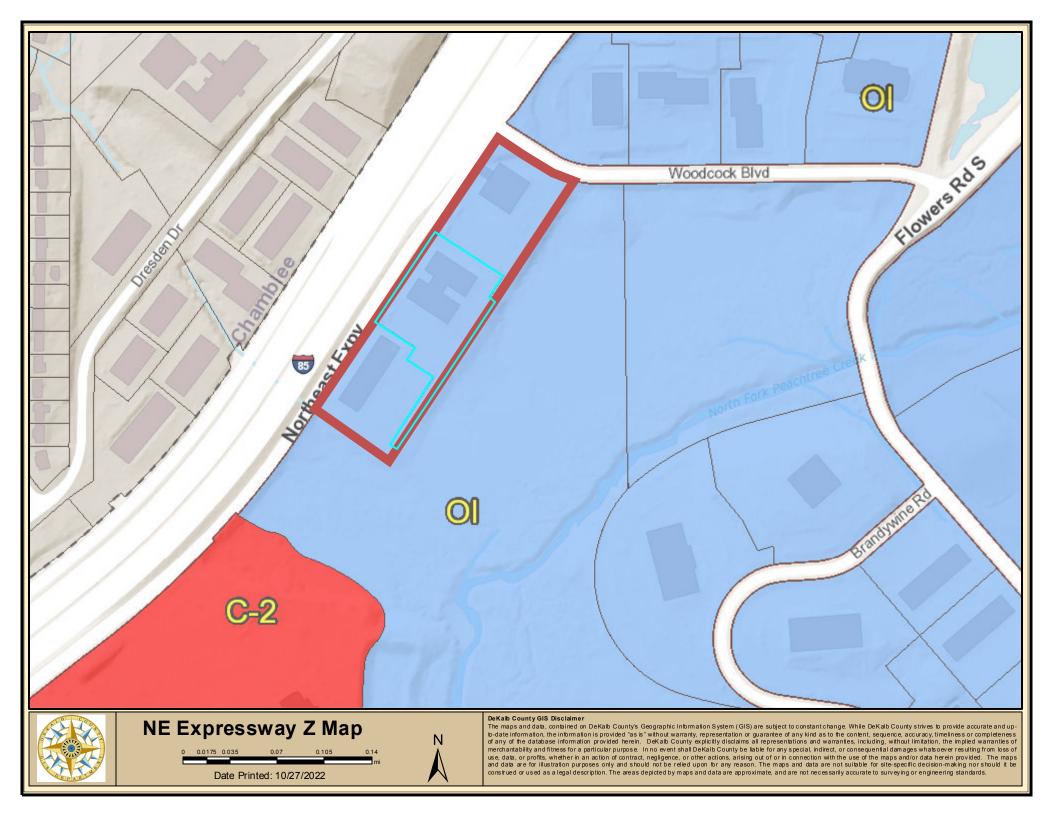
units per acre, minimum lot area and lot width, required parking, parking lot landscaping, minimum open space, maximum building height, minimum unit size, streetscape improvements (sidewalks/street trees/street lighting), building materials, etc. Also provide compliance with Section 6.1.9 of the Parking Code regarding parking garages. The applicant is encouraged to discuss possible transportation improvements that may be required (if the rezoning is approved by the Board of Commissioners) with the county Transportation Department. The applicant is encouraged to contact Land Development Division of Public Works regarding required storm water management, floodplain, and stream buffer issues. The Board of Commissioners cannot act on request until the DRI is approved.

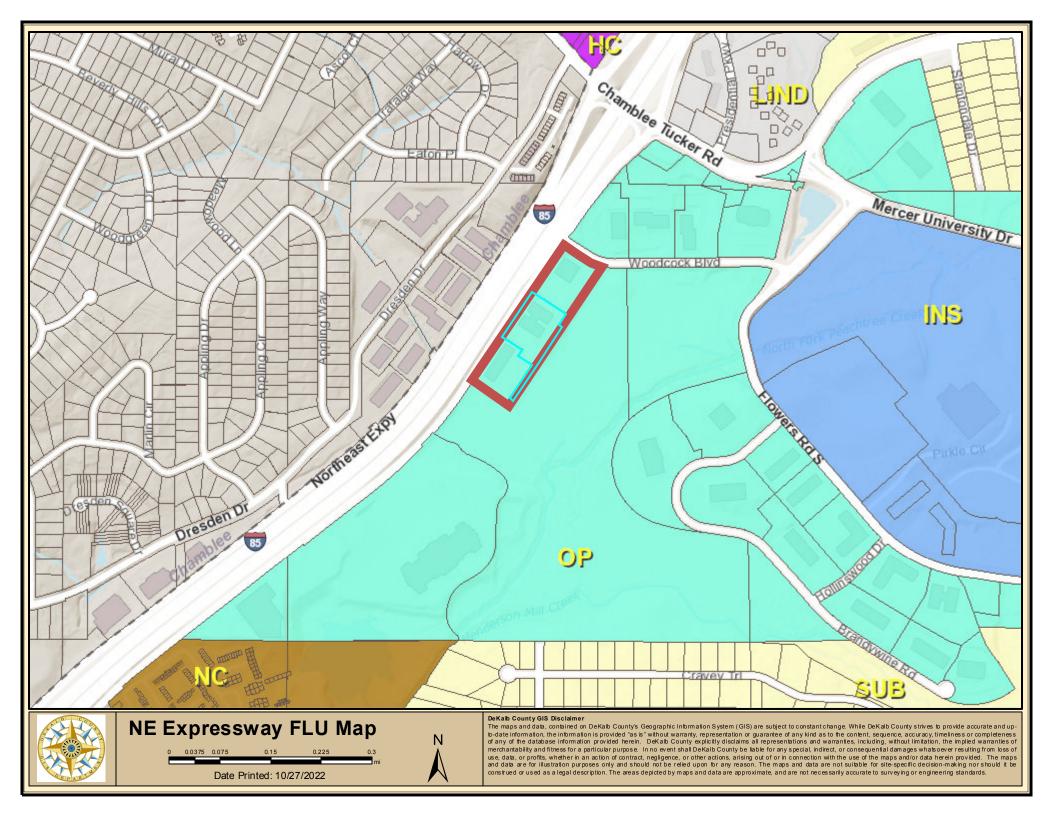
review will be done upon official submission of a rezoning application and concept plan.				
Planner:John Reid				
	Filing Fees			
REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1 RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5 OI, OD, OIT, NS, C1, C2, M, M2	\$500.00 \$750.00 \$750.00		
LAND USE MAP AMENDMENT		\$500.00		
SPECIAL LAND USE PERMIT		\$400.00		

Prince, Jahnee

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Subject: Rezoning Virtual Pre-App Start: Mon 8/8/2022 2:00 PM End: Mon 8/8/2022 3:00 PM Recurrence: (none) **Meeting Status:** Accepted Organizer: DeKalb Co. Planning & Sustainability Pre-Apps ***Caution: External email*** Your appointment will be with Reid, John. DeKalb Co. Planning & Sustainability Pre-Apps 4043712155 Manage Booking Join Teams Meeting en-US https://teams.microsoft.com/l/meetupjoin/19%3ameeting NTYzNmE5ZTUtOTdkZi00YmRiLTgwNzctM2YzN2IwM2RjMTI1%40thread.v2/0?context=%7b%22Tid $\underline{\%22\%3}a\%222\underline{92d5527}-abff-45ff-bc92-b1\underline{db1037607b\%22\%2c\%220}\underline{id\%22\%3a\%22858ac29e-c656-4060-80f0-6060-6060}$ 8a40b9310254%22%7d Meeting ID: 246 505 522 164 If you need a local number, get one here. And if you've forgotten the dial-in PIN, you can reset it. Toll number: +1 689-223-3756 Conference ID: 928 905 414# Local Number: https://dialin.teams.microsoft.com/e89fdd8a-0b75-49dc-bb8e-913370a5ed3d?id=928905414 Reset Pin: https://dialin.teams.microsoft.com/usp/pstnconferencing Learn More https://aka.ms/JoinTeamsMeeting | | Meeting options: https://teams.microsoft.com/meetingOptions/?organizerId=858ac29e-c656-4060-80f0-8a40b9310254&tenantId=292d5527-abff-45ff-bc92b1db1037607b&threadId=19 meeting NTYzNmE5ZTUtOTdkZi00YmRiLTgwNzctM2YzN2IwM2RjMTl1@thread.v2&messa









NE Expressway Aerial Map

0 0.0175 0.035 0.07 0.105 0.14 mi

Date Printed: 10/27/2022



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